

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

WILLIE C. DAVIS,

Plaintiff,

V.

PETER GREEN, JAMES HARVEY,  
ERIC SMITH

## Defendants.

CASE NO. 16-cv-05146 RBL

## ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

- (1) The Court adopts the Report and Recommendation (Dkt. 22).
  - (2) That defendant DOC's motion for summary judgment (Dkt. 11) is denied as moot.

**DATED** this 21<sup>st</sup> day of November, 2016.

Ron G. B. Keighten

Ronald B. Leighton  
United States District Judge